



# ***CITY OF FULSHEAR***

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441  
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## **CITY COUNCIL MINUTES**

**APRIL 16, 2013**

**I. CALL TO ORDER**

*A Regular City Council Meeting was called to order by Mayor Thomas C. Kuykendall, Jr. at 7:06 p.m. at the Fulshear City Hall, 30603 FM 1093, Fulshear Texas 77441 and all citizens were welcomed.*

*Members Present:*

*Thomas C. Kuykendall, Jr., Mayor*

*Jeff Roberts*

*J. B. Collins, Jr.*

*Larry Beustring*

*Laverne Patterson*

*Stephen Gill came at 7:14 p.m.*

*City Staff:*

*D. (Diana) Gordon Offord, City Secretary*

*C. J. Snipes, City Administrator*

*Kristina Brashear, Finance Director*

*Michelle Morris, Building Inspector*

*J. Grady Randle, City Attorney*

*Others:*

*Wayne Meyer*

*Clayton Black*

*Jenni McJunkin*

*Gwen Fox*

*John Cannon*

*And 17 others who did not sign in*

*Mayor Kuykendall recognized Commissioner Andy Meyer as part of the audience.*

**II. QUORUM**

*A quorum was present.*

**III. INVOCATION - Reverend John Crowe, Pastor of River Bend Baptist Church, Fulshear, Texas**

*Pastor Crowe provided the invocation.*

**IV. PLEDGE OF ALLEGIANCE**

*Mayor Kuykendall led the audience in the Pledge of Allegiance.*

**V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN**

*There were no Citizens' comments.*

**FULSHEAR CITY COUNCIL MINUTES**

**VI. CONSENT AGENDA**

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for a separate discussion and action.

- A. CONSENT and APPROVAL of MINUTES from the MARCH 19, 2013 MEETING
- B. CONSENT AND APPROVAL ON CREEK COVE AT CROSS CREEK RANCH/SECTION 3/ PRELIMINARY PLAT
- C. CONSENT AND APPROVAL ON CREEK COVE AT CROSS CREEK RANCH/SECTION 4/ PRELIMINARY PLAT
- D. CONSENT AND APPROVAL ON CROSS CREEK BEND LANE FROM BLANCO RIDGE LANE TO ROCK SPRINGS HILL BLVD/STREET DEDICATION/PRELIMINARY PLAT
- E. CONSENT AND APPROVAL ON CROSS CREEK BEND LANE FROM ROCK SPRINGS HILL BLVD. AND FULSHEAR BEND DRIVE/STREET DEDICATION/PRELIMINARY PLAT
- F. CONSENT AND APPROVAL ON CREEK BEND AT CROSS CREEK RANCH SECTION 11/PRELIMINARY PLAT
- G. CONSENT AND APPROVAL ON CREEK BEND AT CROSS CREEK RANCH SECTION 12/ PRELIMINARY PLAT
- H. CONSENT AND APPROVAL ON CREEK BEND AT CROSS CREEK RANCH SECTION 13/ PRELIMINARY PLAT
- I. CONSENT AND APPROVAL ON CORNELIUS DIVISION/PRELIMINARY PLAT
- J. CONSENT AND APPROVAL ON FIRETHORNE: FIRETHORNE WEST/SECTION 9/PRELIMINARY PLAT
- K. CONSENT AND APPROVAL ON FIRETHORNE: FIRETHORNE WEST/SECTION 10/PRELIMINARY PLAT
- L. CONSENT AND APPROVAL ON KATY ISD/ELEMENTARY SCHOOL NO. 37/FINAL PLAT
- M. DISCUSSION AND REVIEW OF GENERAL PLAN/FULBROOK ON FULSHEAR CREEK
- N. CONSENT AND APPROVAL ON FULBROOK ON FULSHEAR CREEK/SECTION 3/PRELIMINARY PLAT
- O. CONSENT AND APPROVAL ON FIRETHORNE/SECTION 27/FINAL PLAT
- P. CONSENT AND APPROVAL ON FIRETHORNE/SECTION 28/FINAL PLAT
- Q. CONSENT AND APPROVAL ON FIRETHORNE/SECTION 29/FINAL PLAT
- R. CONSENT AND APPROVAL ON LAZY J ACRES SECTION 1 REPLAT/ PRELIMINARY PLAT

*A motion was made by Alderman Beustring to approve the Consent Agenda. It was seconded by Alderwoman Patterson. Mayor Kuykendall asked if there were any questions. Alderman Beustring stated there was a discrepancy regarding the acreage on the plat noted to KISD School No. 37. Council agreed that plat would be approved provided the correction is made on the acreage. Alderman Collins had a concern about the Fulbrook on Fulshear Creek Section 3 regarding the traffic issue. C. J. Snipes, City Administrator stated this is the preliminary plat and a traffic study has been requested and the issue will be dealt with before final platting takes place. Alderman Roberts asked about the access points for the Fulbrook on Fulshear Creek. It was stated that this issue will be looked at the same time. Council was quiet.*

*Mayor Kuykendall called for a vote. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**VII. REPORTS**

Reports are presented to Council for informational purposes only and no action may be taken on any item contained in a report with a specific actionable item listed under Business Items.

- A. REPORT from SEVERN TRENT WATER COMPANY (Repairs, New installations, and reports to TCEQ.)

*A report from Severn Trent Water Company was provided by Mark Yentzen. No action was taken.*

- B. REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)

*A report from the Police Department was provided by Chief Kenny Seymour. No action was taken.*

- C. REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)

*A report from the Municipal Court Clerk was provided by Elaine Brown. No action was taken.*

**D. REPORT FROM THE BUILDING PERMIT OFFICE (Permit Issued, Fees, etc.)**

*A report from the Building Permit office was provided by Michelle Morris. No action was taken. Ms. Morris also provided an update on the Fulshear Beautiful Project. Ms. Morris promised to share pictures at the next meeting.*

**VIII. BUSINESS**

**A. PRESENTATION of the CITY'S FISCAL YEAR 2011-2012 ANNUAL AUDIT and FINANCIAL REPORT by BELT HARRIS PECHACEK, LLP**

*A presentation was given by Belt/Harris representative, Lorena Mahai(?), regarding the 2011-2012 audit. It was stated that no major discrepancies was found. Each Council Member was provided with a copy of the audit.*

*No action was required.*

**B. CONSIDERATION and POSSIBLE ACTION to APPROVE FISCAL YEAR 2011-2012 AUDIT and FINANCIAL STATEMENT**

*A motion was made by Alderman Gill to approve Fiscal year 2011-2012 audit and financial statement. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**C. CONSIDERATION and POSSIBLE APPROVAL on CHECKS PAID and PAYABLES from MARCH 13, 2013 thru APRIL 11, 2013**

*A motion was made by Alderman Gill to approve checks paid and payables from March 13, 2013 through April 11, 2013. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**D. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2013-1096 an ORDINANCE of the CITY of FULSHEAR ADOPTING REVISED FEE RATES for the PLATTING and SUBDIVIDING of PROPERTY within the CITY LIMITS and ETJ of the CITY**

*C. J. Snipes, City Administrator, stated that the city's current rate in comparison with our neighboring cities were weigh off. Mr. Snipes stated that he included a table which gives the breakdown of the rates.*

*A motion was made by Alderman Roberts to approve Ordinance No. 2013-1096 and Ordinance of the City of Fulshear adopting revised fee rates for the platting and subdividing of property within the City limits and ETJ of the city. It was seconded by Alderman Collins. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE RESCHEDULING the MAY CITY COUNCIL MEETING to THURSDAY, MAY 16<sup>th</sup> at 7:00 PM**

*A motion was made by Alderman Gill to approve rescheduling the May City Council Meeting to Thursday, May 16<sup>th</sup> at 7:00 p.m. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**F. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2013-225 a RESOLUTION APPROVING CONSENT CONDITIONS for the CREATION of FULSHEAR MUD NO. 3**

*J. GRADY RANDLE, City Attorney, stated that at last month's meeting an ordinance was tabled for discussion regarding consent for creating a MUD. This ordinance allowances for special use permit where the city can get the sales tax on commercial property without increasing the city limits or ETJ. Attorney Randle introduced John Cannon, attorney for Jordan Ranch property near Woods Road. It contains 1,355 acres.*

*A motion was made by Alderman Gill to approve Resolution No. 2013-225 a resolution approving consent conditions for the creation of Fulshear MUD No. 3. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**G. DISCUSSION and CONSIDERATION of PRESENTATION on FULSHEAR PARKWAY PROJECT and PROPOSED LEGISLATION CREATING the FULSHEAR PARKWAY ROAD IMPROVEMENT DISTRICT**

*Mayor Kuykendall introduce Richard Mueller of ABHR (Allen Boon Humphries Robinson Law Firm) as the presenter for the Fulshear Parkway Project. Mayor Kuykendall stated that mobility is a great concern of all. Attorney Mueller introduced Kerry Gilbert, Rob Bamford, Dave Johnson, and few of the landowners along this corridor. Approximately a 45 minute discussion and question and answer period took place among the group. It is estimated that this project will cost an estimate of 42 million and that the landowners are will to pay 21 million of the cost. It is in three different jurisdiction: Waller County, Fort Bend County, and City limits. Kerry Gilbert gave an overview of the design of the project.*

*Attorney Mueller stated we ask for affirmative action from the City to express support for the project and the creation of the improvement district. Senate Bill 1864 is being heard tomorrow in the Senate.*

*Commissioner Andy Meyer stated he is committed to building a road from 1093 to I-10....he supports it.*

*No action was taken.*

**H. CONSIDERATION and POSSIBLE ACTION to APPROVE LEGISLATIVE INITIATIVE REGARDING SB 1864 and HB 3909 LEGISLATION CREATING the FULSHEAR PARKWAY ROAD IMPROVEMENT DISTRICT**

*A motion was made by Alderman Gill to approve legislative initiative regarding SB 1864 and HB 3909 legislation creating the Fulshear Parkway road improvement district. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**IX. ADJOURNMENT**

*A motion was made by Alderman Collins to adjourn at 8:54 p.m. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**Attest:**

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Thomas C. Kuykendall, Jr. – Mayor

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D. (Diana) Gordon Offord – City Secretary